

A bill for an act  
relating to elections; appropriating money for grants to counties for voting  
equipment and vote-counting equipment; specifying grant terms and procedures;  
repealing Laws 2005, chapter 162, section 34, subdivision 2, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **APPROPRIATIONS; ASSISTIVE VOTING EQUIPMENT AND  
VOTE-COUNTING EQUIPMENT.**

Subdivision 1. **Operating grants.** \$300,000 is appropriated in fiscal year 2010 from  
the Help America Vote Act account to the secretary of state for grants to counties to defray  
operating costs of the assistive voting equipment and vote-counting equipment in each  
polling place. This appropriation is available until spent. Grants of up to \$300 per polling  
place may be made until this appropriation is exhausted. If the grant requests exceed the  
appropriation available, the secretary of state shall prorate the grant amounts to each  
eligible county to match the amount available.

Subd. 2. **Grant application.** To receive a grant under this subdivision, a county  
must apply to the secretary of state on forms prescribed by the secretary of state that  
set forth how the grant money will be spent. Grant applications for operating costs for  
the 2010 elections must be received by the secretary of state by August 1, 2010. Grant  
awards must be made to the counties by December 1, 2010. If money remains from this  
appropriation, the secretary may also make grants available for the 2012 election, with  
grant applications due by March 1, 2012, and grants made to counties by June 30, 2012.

Subd. 3. **Eligibility.** To be eligible to apply for a grant under this section, a county  
must have fewer than 50,000 registered voters as of January 1, 2010, and must have

less than \$300 per polling place that was used in the 2008 general election as a balance, including any interest earned on the account, in its Help America Vote Act account from money distributed to it in 2005.

Subd. 4. **Report.** Each county receiving a grant under this section must include the expenditures it has made on the appropriate Help America Vote Act reports submitted to the secretary of state. If a county does not use the money it has received under this section by June 15, 2013, it must return the unused money to the secretary of state by June 30, 2013. In addition to the report required by this section, each county receiving a grant under this act must maintain financial records for each grant sufficient to satisfy federal audit standards and must transmit those records to the secretary of state upon request of the secretary of state.

Subd. 5. **Operating costs.** "Operating costs" include actual county and municipal costs for hardware maintenance, election day technical support, software licensing, system programming, voting system testing, training of county or municipal staff in the use of voting equipment, and transportation and storage of the voting equipment.

Sec. 2. **APPROPRIATIONS; OPTICAL SCAN EQUIPMENT.**

Subdivision 1. **Optical scan voting equipment grants.** \$2,100,000 is appropriated in fiscal year 2010 from the Help America Vote Act account to the secretary of state for grants to counties to purchase optical scan voting equipment. This appropriation is available until spent. If the grant requests exceed the appropriation available, the secretary of state shall prorate the grant amounts to each eligible county to match the amount available.

Subd. 2. **Grant application.** To receive a grant under this section, a county must apply to the secretary of state on forms prescribed by the secretary of state that set forth how the grant money will be spent. Applications for grants under this section must be submitted to the secretary of state by December 1, 2010, and be for purchases made before March 31, 2014.

Subd. 3. **Eligibility.** A county is eligible to apply for a grant of up to \$4,000 per precinct to replace precinct-based optical scan vote counters if the vote counter was purchased before December 31, 2002, and the county received no federal or state money to defray the cost of that purchase. Counties must agree to provide a local match at least equal to the amount of the grant under this section.

3.1           Subd. 4. **Report.** Each county receiving a grant under this section must include  
3.2 the expenditures it has made on the appropriate Help America Vote Act reports submitted  
3.3 to the secretary of state. If a county does not use the money it has received under this  
3.4 section by June 15, 2014, it must return the unused money to the secretary of state by  
3.5 June 30, 2014. In addition to the report required by this section, each county receiving  
3.6 a grant under this act must maintain financial records for each grant sufficient to satisfy  
3.7 federal audit standards and must transmit those records to the secretary of state upon  
3.8 request of the secretary of state.

3.9           Sec. 3. **REPEALER.**

3.10           Laws 2005, chapter 162, section 34, subdivision 2, as amended by Laws 2009,  
3.11 chapter 101, article 2, section 95, is repealed.